

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CHRISTOPHER GRISHAM and
JAMES EVERARD,

Plaintiffs,

v.

RENE VALENCIANO, J. LOPEZ,
HECTOR RUIZ, A. VERA, and
CITY OF OLMOS PARK,

Defendants.

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SA-20-CA-387-OLG

ORDER

Before the Court are Defendants' Amended Opposed Motion for Sanctions Against Plaintiffs and/or Their Counsel for Violation of the Court's Confidentiality and Protective Order Under Seal Pursuant to Local Rule CV-5.2 (Docket Entry 73), and Plaintiffs' Opposed Motion for Leave, Motion to Compel Discovery, Request for Sanctions and Request for Expedited Hearing (Docket Entry 74). These motions were referred to the undersigned for disposition pursuant to 28 U.S.C. § 636(b).

A hearing was held on the above motions on November 30, 2021. In accordance with the Court's rulings at the hearing, it is hereby **ORDERED** as follows:

- 1) Defendants' Amended Opposed Motion for Sanctions Against Plaintiffs and/or Their Counsel for Violation of the Court's Confidentiality and Protective Order Under Seal Pursuant to Local Rule CV-5.2 (Docket Entry 73) is **GRANTED IN PART** and **DENIED IN PART**. Pursuant to Federal Rule of Civil Procedure 37(b)(2), Plaintiff James Everard is **SANCTIONED** in the amount of \$200 for violation of the Court's Confidentiality and Protective Order. (See Docket Entry 24, at 2.) The other relief

requested by Defendants, including the request for expenses, is **DENIED**. *See* FED. R. CIV. P. 37(b)(2)(C).

2) Plaintiffs' Opposed Motion for Leave, Motion to Compel Discovery, Request for Sanctions and Request for Expedited Hearing (Docket Entry 74) is **GRANTED IN PART** and **DENIED WITHOUT PREJUDICE IN PART**, as follows:

- a. **On or before December 15, 2021**, Defendants must supplement their response to Plaintiffs' Request for Production 15 by producing all emails, text messages, letters, memoranda, notes or other writings in their possession that:
 - i. are dated after March 1, 2018; and
 - ii. discuss, refer, or relate to the incident given rise to this action.
- b. Should any document responsive to Paragraph (2)(a) be withheld on grounds of privilege, Defendants must provide to Plaintiffs, **on or before December 15, 2021**, a privilege log generally describing the document withheld, the privilege asserted, and the grounds for asserting the privilege.
- c. All other relief is **DENIED WITHOUT PREJUDICE** to reurging after the Defendants' supplemental response.

SIGNED on November 30, 2021.


Henry J. Bemporad
United States Magistrate Judge